

United States District Court

for the

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Nov 26, 2024

SEAN F. McAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Maximus Adonis McCloud-Bell Case Number: 0980 1:23CR02009-SAB-1

Address of Offender: [REDACTED] Yakima, Washington 98901

Name of Sentencing Judicial Officer: The Honorable Stanley A. Bastian, Chief U.S. District Judge

Date of Original Sentence: October 11, 2023

Original Offense: Felon in Possession of a Firearm, 18 U.S.C. §§ 922(g)(1) and 924(a)(8)

Original Sentence: Prison - 21 months Type of Supervision: Supervised Release
TSR - 60 months

Asst. U.S. Attorney: TBD Date Supervision Commenced: November 8, 2024

Defense Attorney: Juliana M. Van Wingerden Date Supervision Expires: November 7, 2027

PETITIONING THE COURT

To issue a warrant.

On November 12, 2024, this officer met with Mr. McCloud-Bell upon his release from custody. Mr. McCloud-Bell reviewed and signed the judgment, which outlines the conditions of his term of supervised release.

The probation officer believes that the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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1	<u>Special Condition #6:</u> You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.
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Supporting Evidence: Mr. McCloud-Bell is considered to be in violation of his supervised release conditions by consuming methamphetamine (meth), on or about November 9, 2024.

On November 12, 2024, Mr. McCloud-Bell reported to the probation office for his supervised release intake. This officer explained to Mr. McCloud-Bell that he would be required to provide a urinalysis (UA) that day. Mr. McCloud-Bell admitted to consuming alcohol and meth on Friday night, November 8, 2024, and early Saturday morning, November 9, 2024. He signed a drug use admission form acknowledging his use of meth and alcohol on November 9, 2024. When asked why he chose to use meth and alcohol, Mr. McCloud-Bell stated that it was a bad decision he made while hanging out with old friends.

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The UA was sent to the laboratory to check the meth levels for a baseline. Mr. McCloud-Bell was instructed to report back to the probation office on November 19, 2024, to submit another UA to confirm the meth was out of his system. However, Mr. McCloud-Bell failed to report to the probation office on November 19, 2024.

On November 20, 2024, this officer contacted Mr. McCloud-Bell to inquire about why he did not report to the probation office. Mr. McCloud-Bell explained that his mother was unwell and he had no means of transportation. This officer reminded Mr. McCloud-Bell that he should have contacted the probation office instead of failing to show up, even if he lacked a ride. Mr. McCloud-Bell acknowledged his understanding of this.

- 2 **Special Condition #6:** You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Mr. McCloud-Bell is considered to be in violation of his supervised release conditions by consuming alcohol on or about November 9, 2024.

Please refer to the narrative found in Violation #1.

- 3 **Standard Condition #2:** After initially reporting to the probation office, you will receive instructions from the court or the probation officer about how and when you must report to the probation officer, and you must report to the probation officer as instructed.

Supporting Evidence: Mr. McCloud-Bell is considered to be in violation of his supervised release conditions by failing to report to the probation office as directed on November 19, 2024.

Please refer to the narrative found in Violation #1.

- 4 **Standard Condition #2:** After initially reporting to the probation office, you will receive instructions from the court or the probation officer about how and when you must report to the probation officer, and you must report to the probation officer as instructed.

Supporting Evidence: Mr. McCloud-Bell is considered to be in violation of his supervised release conditions by failing to report to the probation office as directed on November 22, 2024.

On November 20, 2024, after conducting a home visit at Mr. McCloud-Bell's residence, this officer instructed him to report to the probation office on November 22, 2024, before 1:30 p.m. Mr. McCloud-Bell acknowledged his understanding of this directive.

On November 22, 2024, at approximately 2:09 p.m., this officer contacted Mr. McCloud-Bell by telephone. He informed that he was on 72nd Avenue in Yakima and was en route to the probation office. Mr. McCloud-Bell ultimately failed to report to the probation office. This officer attempted to reach him again, but his telephone was either turned off or disconnected.

On November 25, 2024, this officer called Mr. McCloud-Bell to ask why he did not report to the probation office on Friday, November 22, 2024. He explained his ride had fallen

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through. This officer reminded him that we had spoken on the telephone earlier, and he had indicated that he was on his way. Mr. McCloud-Bell stated his ride fell through after our conversation. This officer emphasized to him that he should have contacted the probation office to inform us of his situation instead of failing to report. This officer directed Mr. McCloud-Bell to report to the probation office between 10 a.m. and noon this same day. Mr. McCloud-Bell said he would be there. At approximately 12:05 p.m., this officer attempted to contact Mr. McCloud-Bell, but no one answered. Mr. McCloud-Bell failed to report to the probation office as directed on November 25, 2024.

- 5 **Standard Condition #2:** After initially reporting to the probation office, you will receive instructions from the court or the probation officer about how and when you must report to the probation officer, and you must report to the probation officer as instructed.

Supporting Evidence: Mr. McCloud-Bell is considered to be in violation of his supervised release conditions by failing to report to the probation office as directed on November 25, 2024.

Please refer to the narrative found in Violation #4.

The U.S. Probation Office respectfully recommends the Court issue a warrant requiring the defendant to appear to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: November 26, 2024

s/Kyle Mowatt

Kyle Mowatt

U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
☒ The Issuance of a Warrant
☐ The Issuance of a Summons
☐ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
☐ Defendant to appear before the Judge assigned to the case.
☐ Defendant to appear before the Magistrate Judge.
☐ Other



Signature of Judicial Officer

11/26/2024

Date